

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☒ The attached application, or  
☐ Application No. \_\_\_\_\_, filed on \_\_\_\_\_,  
☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor one Lilac Muller Date: 4/13/01

Signature: *Lilac Muller* Citizen of: United States

Inventor two \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor three \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor four \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

☐ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

DE 7037450 v1

Please type a plus sign (+) inside this box → +

PTO/SB/81 (10-00)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	Not Yet Assigned
Filing Date	Not Yet Assigned
First Named Inventor	Muller
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	19930-003200US

I hereby appoint:

☒ Practitioners at Customer Number

20350

Place Customer  
Number Bar Code  
Label here

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Firm or  
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

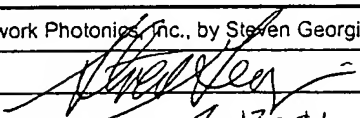
I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

*Certificate under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).*

### SIGNATURE of Applicant or Assignee of Record

Name	Network Photonics, Inc., by Steven Georgis, President
Signature	
Date	4-13-01

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of one form is submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any Comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
DE 7037453 v1

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Lilac MullerApplication No./Patent No.: Not Yet Assigned Filed/Issue Date: Not Yet AssignedEntitled: BISTABLE MICROMIRROR WITH CONTACTLESS STOPSNetwork Photonics, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee-as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

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3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

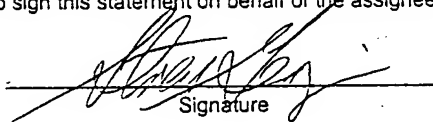
- ☒ Copies of assignments or other documents in the chain of title are attached.

**(NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

4-13-01

Date



Signature

Steven Georgis

Typed or printed name

President

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

JUL 31 2003



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JULY 29, 2003

PTAS

TOWNSEND AND TOWNSEND AND CREW LLP  
DAVID N. SLONE  
TWO EMBARCADERO CENTER, 8TH FLOOR  
SAN FRANCISCO, CA 94111-3834

**\*700037867A\***

\*700037867A\*

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RECORDATION DATE: 07/25/2003

REEL/FRAME: 013828/0575  
NUMBER OF PAGES: 11

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

## ASSIGNOR:

NETWORK PHOTONICS, INC.

DOC DATE: 06/17/2003

## ASSIGNEE:

PTS CORPORATION, A DELAWARE  
CORPORATION  
101 INNOVATION DRIVE  
SAN JOSE, CALIFORNIA 95134

SERIAL NUMBER: 10148710  
PATENT NUMBER:

FILING DATE: 11/18/2002  
ISSUE DATE:

SERIAL NUMBER: 10278182  
PATENT NUMBER:

FILING DATE: 10/21/2002  
ISSUE DATE:

SERIAL NUMBER: 09551256  
PATENT NUMBER:

FILING DATE: 04/18/2000  
ISSUE DATE:

SERIAL NUMBER: 09658158  
PATENT NUMBER:

FILING DATE: 09/08/2000  
ISSUE DATE:

013828/0575 PAGE 2

SERIAL NUMBER: 09747064  
PATENT NUMBER:FILING DATE: 12/20/2000  
ISSUE DATE:SERIAL NUMBER: 10241105  
PATENT NUMBER:FILING DATE: 09/10/2002  
ISSUE DATE:SERIAL NUMBER: 09706489  
PATENT NUMBER:FILING DATE: 11/03/2000  
ISSUE DATE:SERIAL NUMBER: 10076182  
PATENT NUMBER:FILING DATE: 02/12/2002  
ISSUE DATE:SERIAL NUMBER: 10171434  
PATENT NUMBER:FILING DATE: 06/12/2002  
ISSUE DATE:SERIAL NUMBER: 60363724  
PATENT NUMBER:FILING DATE: 03/11/2002  
ISSUE DATE:SERIAL NUMBER: 10243924  
PATENT NUMBER:FILING DATE: 09/12/2002  
ISSUE DATE:SERIAL NUMBER: 09782882  
PATENT NUMBER:FILING DATE: 02/13/2001  
ISSUE DATE:SERIAL NUMBER: 09859069  
PATENT NUMBER:FILING DATE: 05/15/2001  
ISSUE DATE:SERIAL NUMBER: 10161838  
PATENT NUMBER:FILING DATE: 06/03/2002  
ISSUE DATE:SERIAL NUMBER: 60252784  
PATENT NUMBER:FILING DATE: 11/22/2000  
ISSUE DATE:SERIAL NUMBER: 09799916  
PATENT NUMBER:FILING DATE: 03/05/2001  
ISSUE DATE:SERIAL NUMBER: 09899013  
PATENT NUMBER:FILING DATE: 07/03/2001  
ISSUE DATE:SERIAL NUMBER: 09899002  
PATENT NUMBER:FILING DATE: 07/03/2001  
ISSUE DATE:SERIAL NUMBER: 09899001  
PATENT NUMBER:FILING DATE: 07/03/2001  
ISSUE DATE:SERIAL NUMBER: 10300438  
PATENT NUMBER:FILING DATE: 11/19/2002  
ISSUE DATE:SERIAL NUMBER: 10087040  
PATENT NUMBER:FILING DATE: 02/28/2002  
ISSUE DATE:SERIAL NUMBER: 09899014  
PATENT NUMBER:FILING DATE: 07/03/2001  
ISSUE DATE:

0772572003  
700037867

Attorney Docket No. 019830-000000US

Form PTO-1595

(Rev. 10-02)

OMB No. 0851-0027 (exp. 3/31/2002)

Recordation Form Cover Sheet  
PATENTS ONLYU.S. Department of Commerce  
U.S. Patent and Trademark Office

Tab settings ⇨⇨⇨ ▼

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof

## 1. Name of conveying party(ies):

Network Photonics, Inc.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No.

## 3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other:

Execution Date: June 17, 2003

## 2. Name and address of receiving party(ies)

Name: PTS Corporation

Internal Address: A Delaware Corporation

Street Address: 101 Innovation Drive

City: San Jose

State: CA

ZIP: 95134

Additional name(s) and address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

## A. Patent Application No(s):

10/148,710

10/278,182

09/551,256

09/658,158

09/747,064

## B. Patent No(s):

6,501,877

6,542,657

6,535,664

6,449,096

6,517,734

Additional numbers attached? ☒ Yes ☐ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: David N. Slone  
TOWNSEND AND TOWNSEND AND CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
(650) 326-2400

## 6. Total number of applications and patents involved: 65

7. Total fee (37 CFR 3.41): \$2200.00

☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number: 20-1430

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

David N. Slone  
Atty. Reg. No. 28,572David Slone  
SignatureJuly 25, 2003  
Date

Total number of pages including cover sheet, attachments and documents: 11

Mail documents to be recorded with required cover sheet information to:

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Alexandria, VA 22313-1450

01 2200 00 201430 101430/10

Form PTO-1505  
Recordation Form Cover Sheet  
Patents Only  
Page 2

1. Additional name(s) of conveying party(ies):  
(Continued from Page 1)
2. Additional name(s) and address(es) of receiving party(ies):  
(Continued from Page 1)
3. Additional application number(s) or patent number(s):  
(Continued from Page 1)

## A. Patent Application No.(s)

10/241,105

09/706,489

10/076,182

10/171,434

60/363,724

10/243,924

09/782,882

09/859,069

10/161,838

60/252,784

09/799,916

09/899,013

09/899,002

09/899,001

10/300,438

10/087,040

09/899,014

09/898,988

09/899,004

09/880,230

09/954,662

10/216,600

09/941,325

10/093,844

10/279,388

09/992,087

09/992,849

10/118,070

10/099,392

10/098,805

10/306,826

10/080,789

10/095,794

10/093,843

10/150,810

10/126,189

10/401,416

10/147,181

10/242,213

10/262,404

## B. Patent No.(s)

6,490,089

6,381,387

6,525,352

6,535,319

6,439,728

EXHIBIT 3.02(b)

PATENT ASSIGNMENT

ASSIGNMENT AND TRANSFER OF PATENTS

WHEREAS, Network Photonics, Inc., a Delaware corporation, with offices at 4775 Walnut Street, Boulder, Colorado 80301 ("Assignor") owns certain patent applications and/or registrations, as listed in Exhibit A attached hereto and incorporated herein by this reference ("Patents"); and

WHEREAS, PTS Corporation, a Delaware corporation, with offices at 101 Innovation Drive, San Jose, California 95134 ("Assignee"), desires to acquire all of the right, title and interest of Assignor in, to and under the Patents;

WHEREAS, Assignor and Assignee have entered into a certain Asset Purchase Agreement, dated as of June 17, 2003 ("Assignment Agreement"), assigning, among other things, all right, title and interest in, to and under the Patents and in, to and under the registrations for same from Assignor to Assignee;

NOW, THEREFORE, for good and valuable consideration described in the Assignment Agreement, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby irrevocably sell, assign, transfer and convey unto Assignee all of its right, title and interest in and to the Patents, including all patent applications and divisions, continuations, continuations-in-part, reexaminations, substitutions, reissues, extensions and renewals of the applications and registrations for the Patents (and the right to apply for any of the foregoing); all rights to causes of action and remedies related thereto (including, without limitation, the right to sue for past, present or future infringement, misappropriation or violation of rights related to the foregoing); and any and all other rights and interests arising out of, in connection with or in relation to the Patents throughout the universe, including without limitation all foreign counterparts and foreign equivalents of any of the foregoing.

Assignor authorizes and requests the patent officials in the United States and in any and all foreign jurisdictions to issue any and all letters patent and foreign counterparts or equivalents thereof to PTS Corporation, as assignee of the entire interest of Assignor therein, and covenants that Assignor has full right to convey the entire interest herein assigned and that Assignor has not executed and will not execute any agreements in conflict herewith.

Assignor further agrees, for itself, its successors and assigns, to execute such further documents and to perform such further lawful acts as may reasonably be required to effectuate this assignment.



IN WITNESS WHEREOF, Assignor has caused this assignment to be duly executed by an authorized officer on this 17<sup>th</sup> day of June, 2003.

Network Photonics, Inc.

By: [Signature]  
Name: Steve Georgis  
Title: President & CEO

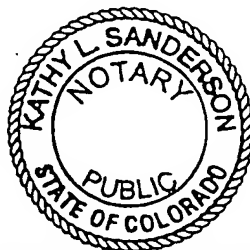
STATE OF Colorado )  
 ) ss.  
COUNTY OF Boulder )

On June 17, 2003, before me, the undersigned notary public in and for said County and State, personally appeared Steve Georgis

X personally known to me [or]  
\_\_\_\_\_ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) Steve Georgis subscribed to the within instrument and acknowledged to me that Steve Georgis executed the same in his authorized capacity(ies) and that, by his signature(s) on the instrument, the person(s) or the entity(ies) upon behalf of which the person(s) acted executed the instrument.

Witness my hand and official seal.



My Commission Expires 04/07/04

[Signature: Kathy L. Sanderson]

My commission expires on

April 7, 2004  
Kathy L. Sanderson  
4775 Walnut Street  
Boulder, CO 80301

TTC Ref Country ATTY(s) Handling	Title	Inventor	Application No.	Filing Date	Patent No.	Issue Date
019930-002300 US PMB (DNS)	Method for Reducing Leaching in Metal-Coated MEMS	Staple, Bevan  Miller, David Muller, Lilac	09/799916	3/5/2001		
019930-002400 US PMB (DNS)	Optical Surface-Mount Lens Cell	Anderson, David Paul	09/899013	7/3/2001		
019930-002500 US PMB (DNS)	MEMS-Based, Non-Contacting, Free-Space Optical Switch	Staple, Bevan  Roth, Richard S.	09/899002	7/3/2001		
019930-002600 US PMB (DNS)	Free-Space Optical Wavelength Routing Elements Based on Stepwise Controlled Tilting Mirrors	Buzzetta, Victor  Staple, Bevan Marinelli, David	09/899000	7/3/2001	6535319	3/18/2003
019930-002700 US PMB (DNS)	Two-Dimensional Free-Space Optical Wavelength Routing Element Based on Stepwise Controlled Tilting Mirrors	Buzzetta, Victor	09/899001	7/3/2001		
019930-002710 US PMB (DNS)	Two-Dimensional Free-Space Optical Wavelength Routing Element Based on Stepwise Controlled Tilting Mirrors	Buzzetta, Victor	10/300438	11/19/2002		
019930-002800 US DMH (DNS)	Systems & Methods for Overcoming Stiction	Miller, David  Muller, Lilac  Anderson, Robert L.	10/087040	2/28/2002		
019930-003000 US DMH (DNS)	Methods & Apparatus for Providing a Multi-Stop Micromirror	Anderson, David Paul	09/899014	7/3/2001		
019930-003100 US DMH (DNS)	Systems & Methods for Overcoming Stiction Using a Lever	Anderson, David Paul	09/898988	7/3/2001		
019930-003200 US PMB (DNS)	Bistable Mirror with Contactless Stops	Muller, Lilac	09/899004	7/3/2001		
019930-003500 US PMB (DNS)	Micromirror Array Having Adjustable Angles	Anderson, Robert L.  Staple, Bevan Roth, Richard S.	09/880230	6/12/2001		
019930-003600 US PMB (DNS)	Dual-Wave Optical Shared Protection Ring	Wahler, Ronald A.  Bortolini, Edward J.	09/954662	9/12/2001		
019930-003700 US WFV (DNS)	Method & Apparatus for Protecting Wiring & Integrated Circuit Device	Anderson, Robert L.  Reyes, David	10/216600	8/9/2002		



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

OCT 3 2001

SEPTEMBER 20, 2001

PTAS

TOWNSEND AND TOWNSEND AND CREW LLP  
PATRICK M. BOUCHER  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111



\*101779274A\*

PM Boucher  
019930-003200VS

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RECORDATION DATE: 07/03/2001

REEL/FRAME: 011975/0074  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
MULLER, LILAC

DOC DATE: 04/13/2001

ASSIGNEE:  
NETWORK PHOTONICS, INC.  
4775 WALNUT STREET  
BOULDER, COLORADO 80301

SERIAL NUMBER: 09899004  
PATENT NUMBER:

FILING DATE: 07/03/2001  
ISSUE DATE:

TONYA LEE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

FORM PTO-1619A  
Expires 06/30/99  
OMR 0651-0027

07-18-2001

U.S. Department of Commerce  
Patent and Trademark Office  
PATENT



101779274

RECORDATION FORM COVER SHEET  
PATENTS ONLY

Attorney Docket No. 19930-003200US

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

**Submission Type**

- ☒ New  
☐ Resubmission (Non-Recordation)  
Document ID #   
☐ Correction of PTO Error  
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☐ Corrective Document  
Reel #  Frame #

**Conveyance Type**

- ☒ Assignment  
☐ License  
☐ Merger  
☐ Security Agreement  
☐ Change of Name  
☐ Other

**U.S. Government**

(For Use ONLY by U.S. Government Agencies)

- ☐ Departmental File ☐ Secret File

**Conveying Party(ies)**

☐ Mark if additional names of conveying parties attached

Name (line 1) Lilac Muller

Execution Date  
Month Day Year  
04 13 01

Name (line 2)

**Second Party**

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

**Receiving Party**

☐ Mark if additional names of receiving parties attached

Name (line 1) Network Photonics, Inc.

Name (line 2)

Address (line 1) 4775 Walnut Street

Address (line 2)

Address (line 3) Boulder

CO

80301

City

State/Country

Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

07/17/2001 09:50:01 00000007 201430 09099004

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1040 U.S. PTO

09/899004



**Correspondent Name and Address**

Area Code and Telephone Number

(303) 571-4000

Name Patrick M. Boucher

Address (line 1) Townsend and Townsend and Crew LLP

Address (line 2) Two Embarcadero Center

Address (line 3) Eighth Floor

Address (line 4) San Francisco, CA 94111

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments

# 2

**Application Number(s) or Patent Number(s)**

☐ Mark if additional numbers attached.

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)


Patent Number(s)


If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year  
04 13 01

**Patent Cooperation Treaty (PCT)**

Enter PCT application number  
only if a U.S. Application  
Number has not been assigned.

PCT		PCT		PCT	
PCT		PCT		PCT	

**Number of Properties**

Enter the total number of properties involved.

# 1

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$ 40

Method of Payment:  
Deposit Account

Enclosed ☐

Deposit Account ☒

Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

# 20-1430

Authorization to charge additional fees:

Yes ☒

No ☐

**Statement and Signature**

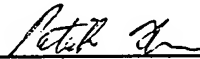
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Patrick M. Boucher (Reg. No. 44,037)

Name of Person Signing

Signature

Date



7/3/01

RECORDATION FORM COVER SHEET  
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PATENTS ONLY

U.S. Department of Commerce  
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PATENT

Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Enter additional Conveying Parties

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

Execution Date  
Month Day Year

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

Execution Date  
Month Day Year

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

Receiving Party(ies)

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Name (line 1)

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Name (line 2)

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Address (line 2)

Address (line 3)

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☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Name (line 2)

Address (line 1)

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Address (line 3)

City

State/Country

Zip Code

Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

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Patent Number(s)

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J1040 U.S. PTO  
09/899004  
07/03/01

ASSIGNMENT OF PATENT APPLICATION

SOLE

WHEREAS, Lilac Muller, of 96 Canon Park Drive, Boulder, CO 80302; hereinafter referred to as "Assignor," is the inventor of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: BISTABLE MICROMIRROR WITH CONTACTLESS  
STOPS

Date(s) of execution of Declaration: April 13, 2001

Filing Date: \_/ \_/ \_

Application No.: ; and

WHEREAS, Network Photonics, Inc., located at 4775 Walnut Street, Boulder, CO, 80301, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignor hereby authorizes and requests Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignor has signed his/her name on the date indicated.

Dated: 4/13/01

Lilac Muller  
Lilac Muller

STATE OF COLORADO     )  
                                      )  
COUNTY OF Boulder     )     ss.

On April 13, 2001, before me, Kathy L. Gonzales,  
personally appeared Lilac Muller, personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me  
that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the  
person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Kathy L. Gonzales  
NOTARY PUBLIC

*My Commission Expires April 7, 2004*  
My Commission Expires: \_\_\_\_\_

4775 Walnut Street  
Boulder, CO 80301